

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hubbard, et al.	
Application No.: 10/605,862	Group Art Unit: 1743
Filed: 10/31/2003	Examiner: Lyle Alexander
Title: Tagging Material for Polymers, Methods, and Articles Made Thereby	Confirmation No: 2861
Attorney Docket No.: GEPL.P-092	
Customer No.: 43247	

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Office Action/Restriction requirement mailed June 18, 2007 for the above-captioned application. Applicants elect Group III, claims 24-68. **This election is made with traverse.**

As a first matter, it is noted that the Examiner has presented in the restriction requirement the form paragraphs which relate to claims directed to subcombinations and combinations. It is respectfully submitted that none of the groups in this case are so related, and therefore the basis for the restriction requirement is in error.

Group I (claims 1-22) is drawn to a method of identifying a polymer using a tagging material. Group II (claim 23) is a species of generic claim 1 expressed as an independent claim and therefore should not be separated from that claim in the restriction requirement.

Group III (claims 24-28) is a polymer containing a tagging material, or an article made from such a polymer. Since all of the limitations concerning the polymer and tagging material in claims 24 and 47 are the same as in claim 1, these materials and articles are related to the the group I claims as product and method of making.

Appln No.: 10/605,862
Amendment Dated: July 17, 2007
Reply to Office Action of June 18, 2007

Moreover, Applicants submit that Group IV, claim 69, is a species of the claims of Group III and that the restriction between elected group III and Group IV should be withdrawn.

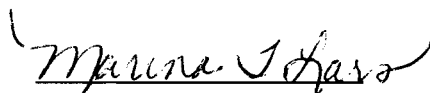
Claim 69 reads:

A storage medium for data comprising a polycarbonate wherein the polycarbonate comprises a perylene wherein the perylene has a temperature stability of at least about 350 ° C, is present in a range between about 10 -18 percent by weight and about 2 percent by weight of the total polycarbonate, and is detectable via a spectrofluorometer at an excitation wavelength in a range between about 100 nanometers and about 1100 nanometers.

A storage medium is an article formed from a polymeric material as reflected in claim 64 of the elected group. Independent claim 47 is directed to articles made from a polymer containing a tagging material that "has a temperature stability of at least about 350 ° C" and is detectable via a spectrofluorometer at an excitation wavelength in a range between about 100 nanometers and about 1100 nanometers. Dependent claim 52, specifies that the tagging material includes a perylene. Dependent claim 62 specifies that the polymer comprises polycarbonate. Thus, claim 69 is merely one species within the scope of the claims of Group III. Thus the restriction requirement should be withdrawn.

Applicants further note that as between the polymeric composition and articles made from that composition within the elected group, and the methods of groups I and II the Examiner has not established a basis for restriction. There is not apparently different classification for these claims, and no apparently different search. Further, the Examiner has not stated why there would be burden to search both inventions. Accordingly, Applicants submit that all of the claims should be considered in a single application and request withdrawal of the restriction requirement in its entirety.

Respectfully submitted,



Marina T. Larson Ph.D.
PTO Reg. No. 32,038
Attorney for Applicant
(970) 262 1800